

DECATUR, ILL., TUESDAY, JANUARY 15, 1901.

NO. 85.

YATES INAUGURATED

Office Administered by Judge Haney in the House of Representatives.

LARGE CROWD WITNESSED THE CEREMONY

Preceded by a Grand Military and Civic Parade Participated in by the National Guard and Many Dignitaries.

SCENES AND INCIDENTS OF THE DAY

Jan. 14. Judge Richard Yates was formally inaugurated as the 17th governor of Illinois at noon today. The ceremony took place in the House of Representatives, which was filled to overflowing by a large crowd of spectators. The ceremony was presided over by Judge Haney, who administered the oath of office to Governor Yates. The ceremony was a grand affair, with many dignitaries and a large military and civic parade preceding the ceremony.

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TELLER'S ATTACK.

Uses After General Egan and President McKinley.

Washington, Jan. 15.—Just at the close of the day of dreary discussion of a bill Senator Teller, of Colorado, speaking to an amendment he had offered, delivered a sensational denunciation of General Egan, former commander of the United States army. His statement included also the administration, because Egan had been retired, according to the Colorado senator's charge as a "decoration and reward" for his attack upon the commanding general of the army.

In an appeal for the early passage of the pending bill Mr. Carter of Montana declared delay now would mean additional expenditure of half a million dollars a day. He asked that time be set for a vote, but Mr. Teller objected.

Mr. Wolcott presented the final report of the postal commission.

Allison reported favorably from the finance committee a bill concerning distilling brandy from fruits, the bill being to add cherries and blue to the list of fruits included in the present law.

Consideration was then resumed of the army reorganization bill, the pending question being the amendment offered by Egan, striking out the provision of the bill authorizing the president to increase the number of non-commissioned officers and privates in any troop of cavalry.

After some desultory discussion Egan withdrew his amendment and offered another introducing the words "during the present exigency of the service," so that the clause would read, "provided, that the president, during the present exigency of the service, in his discretion may increase the number of corporals in any troop of cavalry to eight and the number of privates to 75."

Mr. Hawley made an appeal to the senate to pass the bill and said he "will have to cross the Pacific before the first of July, yet senators are here discussing the matters that were settled long ago."

Mr. Spooner, of Wisconsin, advocated conferring upon the president greater discretionary authority to increase the size of the army.

The amendment offered by Mr. Teller, of Colorado, to that section of the bill which authorizes the president to retire any officer who has been suspended from duty either by a sentence of court martial or by executive order in mitigation of such sentence, striking out the words "has been," and substituting therefor "shall be hereafter."

After saying that the section had been incorporated in the bill for the purpose of enabling the president to retire General Egan, former commander of the United States army, Mr. Teller declared it was retained in the bill in order that an officer of the army, Major Joseph W. Whann, might be retired.

Mr. Teller adverted to the case of General Egan at some length. Of brief furnished the army, some made a trip to Europe and back, being led to our soldiers after it had been condemned by European governments. Mr. Teller denounced Egan in sensational language as "an officer of the United States army who made an exhibition of himself and showed himself to be a miserable blockhead."

Referring to Egan's denial of "Miles" charges Mr. Teller declared "his language was brutal and low and he could not be overlooked, although there was a very evident desire to overlook it."

Mr. Teller made a stinging attack upon the president for having retired Egan, asserting that retirement, in the circumstances, was a decoration and not punishment and many of the American people believe it was a decoration and reward for his attack upon the general commanding the army.

At considerable length he then discussed the case of Major W. A. M.

At the conclusion of Mr. Teller's statement, Senator Orrin of Montana, one of the members of the military affairs committee, addressed the senate in an appeal for the passage of the pending measure at an early date.

"I think the senate ought to know,"

FILIPINOS YIELDING.

Recognize the Cause is Lost and Surrender to America.

Manila, Jan. 14.—Optimism is taking the place of conservatism among the military men here, the cause being the numerous surrenders and captures, destruction of insurgent camps, coupled with an increasing understanding of American intentions among the natives, the propagation of the principles of the federal party and the knowledge that they are approved by the United States, the Philippine commission and the military authorities and that the carrying out of terms of General MacArthur's proclamation, closing all who do things inimical to the interests of the army as rebels, and traitors are having a pointed effect, with the offering of local autonomy and protection and showing the certainty of punishment of those who remain rebellious.

The cutting of communications and supplies have destroyed the remnants of the insurgent organization. The inhabitants of towns are disaffected any longer to contribute secretly to the insurgent cause. It is generally believed the pacification of an insubstantial number of provinces to inaugurate a general scheme of provincial government will be accomplished before many more weeks have elapsed. The most pronounced resistance at present is in remote southern Luzon, northern Mindanao, Cebu and Bohol.

The first batch of thirty leading insurgents who have been ordered deported to the island of Guam sail on the transport Rosecrans, tomorrow.

General Whelan reports that fifty-three bolomen surrendered at Dagupan. Sixteen of them were captured Sunday night, and brought to Manila.

THE IMPERIAL SEAL.

Necessary to Complete the Preliminary Agreement With China.

Peking, Jan. 14.—Prince Ching has not-



GOVERNOR RICHARD YATES.

ed Senator de Cologan, Spanish minister, who is dean of the diplomatic corps that the agreement was signed yesterday morning, but he did not expect to be able to present it into the foreign affairs bureau until Wednesday, owing to the difficulty of obtaining the imperial seal, which he asserted is in the forbidden city and in the private apartments of the emperor, guarded by the emperor's most trusted servants. He said also that a personal order from the emperor will be required before these who have the seal in charge would deliver it over to Prince Ching.

Russia today began turning over the railway to Germany. The latter intends to place the management of the line with former employees of the company under a military supervision. Germany has requested the station masters, engine drivers, and mechanics, who were formerly employed to report at German headquarters when they will be given their old positions.

The ministers have been annoyed at receiving messages from their respective governments asserting that the provisions of the agreement were signed Saturday which is officially denied.

Wolcott's Successor.

Denver, Jan. 14.—A caucus of two fusion members of the legislature tonight nominated Thomas M. Patterson, of Denver for Wolcott. He received 73 out of 91 votes in caucus.

Honor for Olney.

Boston, Jan. 14.—The democrats of too house today in joint convention today nominated Hon. Richard Olney for United States senator in opposition to Senator Hoar.

Boutelle Retired.

Washington, Jan. 14.—The president has signed the bill authorizing the pension of Congressman Boutelle, of Maine, on the retired list of the navy with the rank of captain.

THE NEELEY CASE

Supreme Court Sustains the Finding of the New York Court.

IS SUBJECT TO EXTRADITION

Justice Harlan Reads the Opinion Which Was Unanimous.

CUBA IS A FOREIGN COUNTRY

The Principal Points of the Finding in the Celebrated Case.

Washington, Jan. 14.—The United States supreme court today announced a decision in the case of U. S. v. Neely, charged with the embezzlement of public funds in Cuba while acting as financial agent of the department of posts in that island, holding that Neely is subject to extradition.

Justice Harlan handed down the court's opinion, which is unanimous. Immediately after the opinion was concluded an order was issued requiring a mandamus in the case to be issued at once.

The opinion embraced a complete review of the case, explaining Neely's crime, and stating that his effort to prevent extradition to Cuba, relating that the circuit court for the southern district of New York, to which application for a writ of habeas corpus had been made, had rendered a decision adverse to Neely's claim.

Justice Harlan said he had then appealed to this court on the ground that the act of June 6, 1900, was unconstitutional. Justice Harlan said there was no dispute that on the 6th of June, 1900, when the act under which this proceeding is brought became a law that Cuba was "under the control of the United States and occupied by the government."

"This court," he said, "will take judicial notice that such were, at the date named and are now the relations between this country and Cuba, so that the applicability of the above act to the present case—and this is the first question to be examined, depends upon the inquiry whether, within its meaning, Cuba is to be deemed a foreign country or a territory."

NOT DIFFICULT.

Continuing he said: "We do not think this question at all difficult of solution if regard be had to the avowed objects intended to be accomplished by the war with Spain and by the military occupation of that island." Justice Harlan then reviewed the legislation preceding the war with Spain, quoting the joint resolution of April 20, 1898, and the declaration of war which followed on the 25th of the same month. The protocol between the United States and Spain and the Paris treaty were reviewed for the purpose of showing not only the relation of the United States to Cuba but Spain's relinquishment of sovereignty over the island. Notice was taken of the establishment of the military government over Cuba and Governor Brooke's proclamation January 1, 1899, was quoted. The justice referred to the governor's establishment of various departments in order to promote the civil government of the island. He also called attention to the promulgation of the postal code superseding all other Cuban laws relating to postal affairs and related that on the 13th of June last, Governor Wood had made requisition upon the president for Neely.

FOREIGN TERRITORY.

Announcing the court's conclusions on the status of Cuba, Harlan said: "The facts above detailed make it clear that Cuba is foreign territory within the meaning of the act of June 6, 1900. It cannot be regarded in any constitutional, legal or international sense as a part of the territory of the United States. While the act of April 25, 1898, declared war between this country and Spain, the president was directed and empowered to use our entire land and naval forces as well as the militia of the several states in such an extent as was necessary to carry the act into effect, and that authorization was not for the purpose of making Cuba an integral part of the United States, but for the purpose only of compelling the relinquishment by Spain of its title, and the government in that island and the withdrawal of its forces from Cuba and Cuban waters. The legislative and executive branches of government by joint resolution of April 20, 1898, expressly disclaimed any purpose to exercise sovereignty, jurisdiction or control over Cuba except for the determination of the United States as to the object being accomplished, to leave the government and the control of Cuba to its own people. All that has been done in relation to Cuba has had and is in view as far as the relations of this country with that island, and nothing has been done inconsistent with the declared object of the war with Spain.

"Cuba is one of the less a foreign territory within the meaning of the act of congress because it is under a military government appointed by and representing the president in the work of assisting the inhabitants of that island to establish a government of their own, under which as a free and independent people, they may control their own affairs without interference by other nations. The occupancy of the island by troops of the United States was a necessary result of the war. That result could not have been avoided by the United States consistently with the principles of international law or with its obligations to the people of Cuba. It is true that as between the United States and all foreign nations, Cuba upon the cessation of hostilities with Spain and after the treaty of Paris was to be treated as if it were conquered territory. But as between the United States and Cuba, that island is a territory held in trust for the inhabitants of Cuba to whom it rightfully belongs and to whose exclusive control it will be surrendered when a stable government shall have been established by their voluntary action."

THREE ON TRIAL

Inquiry Into Death of Jennie Bogscheiter Commences at Paterson, N. J.

ACCUSED PROMINENT MEN

Gave the Girl Knock Out Drops and Then Committed Assault.

THE CABMAN'S AWFUL STORY

Details the Incidents of One of the Worst Crimes on Record.

Paterson, N. J., Jan. 14.—What is expected to be one of the notable murder trials in the history of this country began today in the Court of Oyer and Terminer here when Walter O. McAllister, William A. Death and Andrew Campbell were called to plead to the charge of the murder of Jennie Bogscheiter, the 18-year-old mill girl who died after she had been given knock-out drops and assaulted. George J. Kerr, who was jointly indicted with the three other prisoners, was granted a separate trial. The jury was secured in an hour.

STEP-MOTHER'S STORY.

Mrs. Nina Bogscheiter, the step-mother of the murdered girl, was the first witness. She said Jennie left the house at 8 p. m. the 18th of October and said she was going to the drug store in the neighborhood. When Mrs. Bogscheiter got up at 3:30 in the morning to prepare breakfast she did not know that the girl had not been at home during the night. She was subsequently notified of the finding of the body and saw the body when it was brought home that evening.

Cornelius Garry, a teamster, said he found the body of the murdered girl lying on her back with her feet toward the river. Her clothing is clean and her hair was four feet from her body.

Christopher Bael testified he owned a saloon at Bridge River avenue and on the night of October 18, McAllister, Campbell, Death and the girl were seated at the table in the rear room. McAllister ordered a bottle of champagne. The witness carried it into the room. He then had to go to the cellar and when he emerged the party was gone.

"Did you see anything of the party the next day?"

"Yes, McAllister, the next morning said to me, 'that girl is dead.' I said, 'I have nothing to do with it. McAllister said I would not give them away if any one came around. He said even if a big reward were offered I should stick by them.'"

THE AWFUL CRIME.

Blackman Schultorpe, in whose vehicle the four men rode, said on the night of October 18 George Kerr told him a party of four would use the back, and ordered him to drive to Bael's saloon. McAllister, Campbell, Death and Kerr came out carrying the witness and placed her in the rear seat. The witness was told to drive out along the Ganley road to Lee's place. Lee's place was closed, so they pulled into a block road. They went along to a place beyond the railroad tracks. He was then ordered to stop. The place where he stopped was a clear one with no bushes. All four men left the carriage. They lifted the girl out about as they lifted her in. He had thrown a blanket on his horse. One of the men took it off and it was carried into the darkness, where the woman had been buried. Schultorpe is a rough voice that could be heard with fearful effect in the little court room told the most horrible part of his story. Kerr only was exempt from participation in the assault which the back driver described. With brutal roughness, without the slightest attempt to conceal the facts under nice words, in the language of the streets, Schultorpe told the utterances of that set on Rock road.

Then the girl was carried back to the back, and placed in the rear seat. At the time the girl's head was hanging far back. The men in the back were alarmed and a little past the school house on the Red road they stopped again and tried to revive the girl. The witness then told of the drive to Paterson, of the examination by a physician which ended with the remark: "Boys, I can do nothing for you."

The man ordered him to drive back across the river. Witness then told of the disposal of the body where it was found. He drove the four men back. McAllister and Kerr left the back first, the former handed him ten dollars and said: "You know what to do, keep your mouth shut."

"Did you see any evidence of life in the girl after you started from the saloon?" asked the prosecutor, Baley.

"Yes, she rose up, kind of straightened up then fell back again."

The cross-examination was not concluded when court adjourned.

Death in Electric Chair.

Sing Sing, Jan. 14.—William Neufeld, who murdered his mother and cousin, Mrs. Annie Kravetz, in New York, August 7, 1899, was put to death in the electric chair in the state prison here this morning. Robbery was the motive of his crime.

Russians Moving.

Tien Tsin, Jan. 14.—The Russian troops except 1000 men detailed to guard the legation of Russia, and the Tien Tsin and Shan Hai Kuan guards, are evacuating the province of Chi Li and entering the province of Manchuria. It is reported they are going to Madken.

WEATHER FORECAST

Washington, Jan. 14.—The signal service prediction for Illinois is as follows: Fair Tuesday; westerly winds fresh to brisk on the lake. Wednesday fair.

GOOD FLOW OF GAS

Has Been Struck on a Farm a Mile North of Elwin.

THE FLOW GROWS STRONGER

Under Control and an Effort Will Be Made to Determine if It Is Merely a Pocket.

GOOD SIGN VALUABLE FOR DECATUR

There has been a strike of natural gas on the farm of O. Logan about a mile north of Elwin and time will prove if it is merely a pocket or something more extensive. The flow has been almost constant for more than a week and is said to be strong enough to run a small engine. On his farm Mr. Logan is making some improvements and building a new house. He also has a well sunk. First a pit about twenty feet was dug and then a boring machine was used to complete the well. This bore was sunk about 60 feet below the surface of the pit when the gas was encountered. In the pit put down there was a volume of water to within a few feet of the pit. With it came a flood of gas. The gas continued without interruption and finally an attempt was made to control it. A block was placed over it. It was the bottom of the pit and through that rock a hole was bored. An inch pipe was inserted in the rock and the gas was under control. When lighted it burned to show high in the air. Just how long it may burn, no one knows. It is said to be very strong. It is the intention of Mr. Logan to pipe it to his new house. It is not immediately exhausted. The possibility of having struck a vein of natural gas is a very interesting one. It is not a little distance from Elwin and it would be of no little value to a vein of sufficient volume to have commercial value. The fact that the flow has continued for more than a week and is stronger now than when first discovered, gives reason for the belief that it may be something more than a pocket. If the flow does not come out it will be made to determine something more about the gas.

SPEAKER SHERMAN'S PAGE.

A Romantic Story Connected With His Appointment.

Speaker Sherman has shown by the appointment of his personal page that he has not forgotten the struggles of his early life and that he has a warm heart for the boy who is now seeking to get along in the world. He has appointed George H. Wilbur of this city, as his page, and there is a nice little story connected with it. Four years ago this youth was an applicant for a position as page and was disappointed. Mr. Sherman noticed his chagrin, and took him upon his knee and told him that if he was ever speaker of the house he would appoint him a page.

For a Broken Heart.

The suit of Miss Ida Hart for breach of promise against Harry Perline, of Bunker Hill, in which she asks damages to the extent of \$5000, is causing public attention in that vicinity. Perline's father is one of the wealthiest farmers in that neighborhood. Young Perline is 24 years of age, and Miss Hart is 18.

Boody Man's Boozie.

Deputy Sheriff Wilson went to Hooley Friday and arrested a fellow who had been on a prolonged spree. The man had been employed in the Washburn construction work on Hooley Hill and had borrowed all of his money in booze. Friday he was wandering about Hooley with his clothing in such condition that it seemed ready to drop from his body. When arrested he had in his pockets three bottles filled with liquor. Two of them were quarts and one was a pint flask. He is in jail.

Wedding Anniversary.

At their home on West Wood street, Friday night Mr. and Mrs. O. O. Robertson celebrated the sixteenth anniversary of their wedding by an informal gathering of friends and neighbors. About fifteen persons were present. Refreshments were served and the evening pleasantly spent with cards, games and music.

THE COUNTY FAIR.

It Will Open on Wednesday at the Guardia Armory.

"The County Fair" to be given under the auspices of the Guardia Armory and the members of Co. H, promises to be as great a success as has been prophesied. By the promoters of the scheme all along. Beginning with next Wednesday and continuing to the close of the week the Guardia Armory will be the scene of an untrammelled gaiety and mirth.

Mont Penwell received a telegram last night from Charles Bell, of Chicago, stating that he had been successful in securing the desired number of first class vaudeville people. Mont Penwell went to Chicago a week ago and made a contract with Bell to secure a certain number of vaudeville artists who are to give performances here during the County Fair. They were all to be first class artists, and the telegram assures Penwell that they will be satisfactory.

That is good news to the managers of the affair and it was feared that at this season of the year it would be difficult to make a contract with people for a week's playing.

The managers of the County Fair are feeling quite jubilant at present over the prospects of the big show. All the floor space has been sold that can be spared and it now looks as though more could be disposed of if it could be obtained.

The program of the four days of pleasure has not been definitely fixed but it is assured that the public will have no cause for complaint. There will be plenty of good music by the band and equality of artists will render other music.

The afternoon performance will be free with the exception of Saturday when a regular matinee performance is to be given.

One Decatur business man has secured the biggest hall of the armory and the commissioned officers' room and will make an exhibit that will be a drawing attraction in itself. He has made arrangements for a number of entertainers to display his goods and if the public come no more than his show they will be pretty well satisfied.

At the meeting of Company H last night Captain Russell called a meeting of the company for Sunday afternoon at the Armory stating that at that time two companies to assist in the County Fair would be named. The members of the company have already done much toward the affair.

CLINTON.

Elmer Foster of Lincoln is visiting in our city.

Chas. Watson of Denver, Col., was called here by the illness of his father, H. L. Watson.

G. E. Harris and G. T. Nickles, are sitting in a fine suite of rooms vacated by the V. M. C. A.

Wm. Edward of Rockford, who has been the guest of his brother Lou, has returned home.

Mrs. Herbert Emmell of Selma, Cal., who has been visiting her parents, Mr. and Mrs. Henry R. Emmell, for several weeks, returned Wednesday. She was accompanied home by her brother, Philip, J. W. Hurley and wife, who have gone to Terre Haute, Ind., to reside.

Mrs. John Wale was taken to the Deaconess hospital, in Bloomington, where Dr. Graham assisted by Dr. Spalding of Clinton, performed a surgical operation.

Rev. T. A. Gandy had an operation performed on his throat Monday.

The dance of next week is dancing party Tuesday evening.

George T. Nickles, who is suffering with grip, is not improving rapidly.

N. S. Bailey and W. W. Newman were in Decatur Wednesday attending the annual meeting of the implement dealers of Illinois.

Will H. Taylor, Jr., who went to Danvers, Col., some months ago, has joined the regular army in the Philippines.

The Clinton delegates, who are attending the National meeting at Penn are aiming to secure the tournament.

CISCO.

A. J. Williams of Monticello was a Cisco visitor Tuesday.

W. C. Weddle and Samuel Aloy, under whose auspices the circus is being given, were in Monticello Tuesday evening and Wednesday.

W. J. Marlow of Decatur visited a few days with H. R. Andrews.

Henry Matley of Argenta has purchased the Wilson and Robinson properties.

Will Alexander returned from Milwaukee Sunday night.

T. F. Miller is here having visited relatives returned to his home at Urbana Tuesday.

MARION.

Mrs. T. N. Lennett has the grip.

CONFIDENT TONE CRIGGS FINISHES

Is Reported by the Dun and Bradstreet Commercial Agencies.

WITH THE OUTLOOK BRIGHT

Iron Trade Promises to Be Enormous During Present Season.

COLLECTIONS ARE VERY GOOD

Fall Shoes Will Be Cheaper and Wool Shows Strength.

New York, Jan. 11.—Bradstreet will tomorrow say: Looking up in several trades has been rather this week. The best reports come from iron, steel, leather and drugs, with some enlargement of wholesale distribution trade on a rising note in the south and west. Spring trade in dry goods shows a heavy shipping movement in the west. Weather conditions have not been favorable to trade in the east except to stimulate retail shoes and rubber. The special feature is the tone of all reports on collections from all western and southern points. Briefly the situation is one of widespread confidence in the general business outlook.

Cereals have given further exhibition of life during the week, partly on light northwest receipts and short Argentine crop, but largely on the larger volume on Wall street market making an outlet in grain. It has been strictly a trader's market.

Iron production is increasing but but not yet over the consumption and stocks are smaller than a month ago. There are only two idle furnaces in the Chicago district.

Cotton has weakened on the discouraged bull legislation and wool has shown a rather better demand of late.

Jobbing business in shoes is lighter with retail trade better. Travelers are starting out with fall styles of shoes at prices slightly lower than last year.

Wheat shipments, 5,061,000, against 1,249,000 last year; corn, 4,897,000 against 3,615,000.

BANK CLEARINGS

New York, Jan. 11.—The statement compiled by Bradstreet shows the total bank clearings for the principal cities of the United States for the week, \$2,643,794,405, an increase of 41.4 per cent compared with the corresponding week last year.

DUN'S.

R. G. Dun & Co.'s Weekly Review of trade will tomorrow say: Only in textiles is special mention shown. Staple products are firm. Iron and steel prices are held without trouble while boots, shoes and wool are steady and all with fair demand so that manufacturers are busy.

In textiles, however, the improvement promised with the new year is delayed, and cotton goods stocks are growing in some quarters. Throughout the country distribution of merchandise continues on a good scale, and collections are unusually prompt.

BRIDGES AND BUILDINGS.

Construction of bridges and buildings, together with contemplated track alterations, shows a capacity of all concerns making structural repairs of iron and steel. Order for locomotives, cars and rails, and all forms of railway equipment are also abundant and there is no sign of recession. Plans about mills have a large business, merchant steel is in brisk demand.

An investment of Wall street capital was removed as supporting action, and about, but the effect is not permanent. Cotton advanced temporarily only to react upon Liverpool cables failed to respond. Traders express widely divergent opinions as to the size of the current crop and its sufficiency.

WOOL STRONGER.

Wool has come to decline and the sales at the three chief eastern markets increased slightly to 3,308,700 pounds against 3,121,000 in the week preceding. Manufacturers purchase with extreme caution and domestic prices suffer by increased competition of cheap wool from Australia and China.

Makers of boots and shoes insist on full prices and as a result shipments from Boston have declined 5453 cases for the week. Sales of leather increase, with home stock also fairly held, although conversions are made in the upper story. With the hide market at Chicago is unchanged, the tone is irregular.

Failures 324 against 271 last year.

MARRIED.

At the home of the bride's parents, Mr. and Mrs. Alvin Lyman, near Emory on Wednesday, January 9, occurred the marriage of Harry M. Grant and Miss Lucina M. Lyman. The ceremony was performed by Rev. D. T. Miles and was witnessed by a number of friends. A wedding supper followed. The couple will live as a team near Emory.

Beat Out of an Increase of His Pension.

A Mexican was veteran and prominent editor writer: Seeing the advertisement for Chamberlain's Colic, Cholera and Diarrhoea Remedy I am reminded that as a soldier in Mexico in 1847 and 1848, I contracted Mexican diarrhoea and this remedy has kept me from getting an increase in my pension for an every renewal a dose of it restores me. It is unequalled as a quick cure for diarrhoea and is pleasant and safe to take. For sale by John L. King and C. F. Shilling.

Philadelphia, Jan. 11.—Joseph Kelly, who murdered Nona Blier in Warren county, April 4, the body found Sunday May 28, near Evansville, was today sentenced to be hanged.

DENIES LOCAL TAX.

That the tax levied is a local tax was denied today it was demonstrated a tax for local purposes. Mr. Carlisle read portions of the Porto Rican act establishing the rate of duty and disposition of monies collected as a basis for his complete argument and said the court would see that on all goods from the United States to Porto Rico there should be levied 75 per

Success of Plaintiff in Porto Rico Case Will Hamper Government.

J. G. CARLISLE'S ARGUMENT

Discusses the Various Points That Have Been Raised in Case.

IS BUT ONE CONSTITUTION

Holds That It Must Apply to All Territories of the U. S.

Washington, Jan. 11.—Attorney General Griggs resumed his argument before the United States supreme court today, continuing his statement of the position of the government as to the rule of uniformity in tariff and internal revenue laws. He insisted that the application of the internal revenue laws to Porto Rico would be unwise and in many places unworkable. The rule of uniformity in the internal taxes, he said, could be established when applied to contiguous states as states were governed by similar laws and similar conditions. But when it came to applying these laws to widely separated territories inhabited by polyglot races, wide discretion was necessary and to endeavor to apply a system of internal taxes would be rather applying a straight jacket than a constitution. Continuing, he said, congress should have discretion to impose only such laws as the people could bear. As to the future, he said we must consider the possibility and not probability of the acquisition of Egypt, Soudan, Central Africa, China or a spot in the Antarctic circle and the chance of people who may at any future time be entitled to citizenship. The powers of congress to legislate were amply sufficient to permit a settlement of all such contingencies. The attorney general concluded by insisting that no private right be conserved but that the rights of the government would be hampered by the success of the contention of the plaintiffs.

CARLISLE'S TURN.

Hon. John G. Carlisle, chief attorney for the plaintiff, followed Attorney Griggs. He began by saying he would not discuss the questions of policy as they belonged to another forum. The question was to be settled only on the constitution. He said he had as yet been unable to form an opinion as to the exact constitution of the government.

First, however, he believed the contention was that the island of Porto Rico did not become a part of the United States either on signing the protocol or the ratification of the treaty of Paris; that there is a condition existing which placed the island under the general protection and jurisdiction of the United States subject to certain limitations; that during a period between the acquisition of territory and the passage of laws by congress the island might be governed by the president subject to the laws of war, and that the island did not become a part of the United States until admitted by congress, and until such time as congress may legislate for the island. From this it is argued, he said, that not being part of the United States, congress has a right to say what laws may be levied and collected. Mr. Carlisle first took up the conditions which led to the taking of the island and read from the proclamation of General Miles and General Wilson to show that the occupation was meant to be permanent. While the constitution imposed a duty on congress regulating commerce, yet the regulation of the peace protocol, the president, he said, has exercised the powers of assessing duties and carrying out all duties of congress. Mr. Carlisle said the real question was not whether the constitution extended to the inhabitants of Porto Rico but whether it extended over congress, president and cabinet.

THE TERRITORIAL POINT.

On the point that territories were not part of the United States Mr. Carlisle read a history of the framing of the constitution showing that the first intention was that "all acts and treaties" should be of the nature of the land. This was before the word "constitution" had been introduced and he tried to show that it was a intention to have the constitution apply to all parts of the country whether in free states or simply in the territory belonging to them.

Carlisle argued that the constitution must be interpreted as a whole and must enable the government to accomplish all purposes for which it was framed. There would be two constitutions, he said, in the interpretation of the counsel of the majority, one for the states and the other for the territories and the other for the territories giving no rights.

Mr. Carlisle undertook to show that both direct and indirect taxes had been laid upon the states and territories alike and duties had been laid upon imports into the territories as well as states. Until the ratification of the government that territories were not a part of the United States it might be taken that goods could go free from Porto Rico to Alaska and this was not the case for the same duties were charged on goods from territories going to Porto Rico as from the states.

That the tax levied is a local tax was denied today it was demonstrated a tax for local purposes. Mr. Carlisle read portions of the Porto Rican act establishing the rate of duty and disposition of monies collected as a basis for his complete argument and said the court would see that on all goods from the United States to Porto Rico there should be levied 75 per



BIG OR LITTLE GIRL'S SHOES

for DRESS or SCHOOL.

OUR "PRINCESS" BRAND.

THIS low-priced brand of Kid Shoes is daily becoming more popular. They do not cost as much as you'd expect to pay—judging by the looks of them. They are the most economical shoes we know of, and we recommend them to mothers who feel that their children must be respectably dressed with well made shoes that are not expensive. Ask for "Princess" the next time.

The little ones—6 to 8—cost \$1.00
The children's—8 to 11—cost 1.25
The girls'—12 to 2—cost 1.50
The big girls'—cost 2.00



Davis B. Folrath,

152 E. Main-st.

—For Dress or Play—

\$500 REWARD

We pay the above reward for any case of Liver Complaint, Dyspepsia, Sick Headache, Indigestion, Constipation or Costiveness we cannot cure with

Liverita, The Up-to-Date Little Liver Pill

They are purely Vegetable and never fail to give satisfaction. 25c boxes contain 100 Pills, 10c boxes contain 40 Pills, boxes contain 15 Pills. Beware of substitutions and imitations. Sent by mail. Stamps taken. Nervita Medical Co., Corner Clinton and Jackson Sts., Chicago, Illinois. Sold by

John E. Moore and A. L. Blaine at Decatur, Ill.

H. & H.

We show the largest variety in Ladies' Dress and Street Boots, in all leathers, in Decatur.

Prices Right FIT we make a specialty of.

See our Men's Ralston enamel, damp proof sole.... \$4.00

See our Men's London Calf Welt Shoe, good wear.... \$3.50

Bargain Dep't.

75 pairs Ladies' Welt Shoes, button and lace, narrow widths, good sizes..... \$1.48

90 pairs Ladies' Welt Shoes, button and lace, broken sizes..... 98c

Good values at 1/2 prices.

85 pairs Misses' Shoes, button or lace, sizes and widths good, solid goods..... 90c

Must Be Sold.

Boys' and Youths' Shoes, good service, all solid.... \$1.25, \$1.50

Remember we are sole agents for Snag Proof Rubber Goods.

HUTCHIN & HARDY

139 North Water Street. Bring your Repairing to us to be Neatly Done.

PLE'S DOCKET

Be the First Called at the January Term Convening Monday.

SPALDING CASE IS NEAR

Good Case Was Given the Jury Monday Night at Ten O'clock—The Instructions Were Voluminous.

SPECIAL QUESTIONS PROPOSED

At the work of the circuit court on the case for the January term will be the Spalding case. The first case on the docket. The first case on the docket is the people vs. Edward Morley, charged with burglary and grand larceny. There are a number of other cases, some of which are on the docket for a long time, and some are against Augustus and his son and against Mrs. Blackett. They are charged with a crime on the east end of the city were indicted with Morley and they are on their trial. There are a number of other cases, some of which are on the docket for a long time, and some are against Augustus and his son and against Mrs. Blackett. They are charged with a crime on the east end of the city were indicted with Morley and they are on their trial. There are a number of other cases, some of which are on the docket for a long time, and some are against Augustus and his son and against Mrs. Blackett. They are charged with a crime on the east end of the city were indicted with Morley and they are on their trial.

THE SMALLWOOD CASE.

Smallwood case went to the jury at 10 o'clock. The entire day was spent by the attorneys in making arguments. It was not until after 6 o'clock that work had been completed. It then ordered a recess until 8 o'clock. When the court and all attorneys were in their own chambers the instructions began. Either the judge or the attorneys were careful not to utter a word that would be a question of law. The reading of the instructions began at 10 o'clock. The entire day was spent by the attorneys in making arguments. It was not until after 6 o'clock that work had been completed. It then ordered a recess until 8 o'clock. When the court and all attorneys were in their own chambers the instructions began. Either the judge or the attorneys were careful not to utter a word that would be a question of law. The reading of the instructions began at 10 o'clock. The entire day was spent by the attorneys in making arguments. It was not until after 6 o'clock that work had been completed. 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DECATUR HERALD.

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HE DID NOT SEE

Henry Deffenbaugh Drove Up

Against Side of a Wash

Train.

WAS KNOCKED FORTY YARDS

Admits That He Was Watching Another

Train—His Horse Was Almost

Instantly Killed.

HENRY RICE MADE HIS ESCAPE

John Deffenbaugh, driver of the delivery wagon of the Deffenbaugh grocery store, which was struck by the Washington & Great Northern train at the Washington & Great Northern crossing, admitted that he was watching another train at the crossing when the accident occurred.

Deffenbaugh is a young man, 17 years of age, and had been to the Washington & Great Northern crossing to get a load of lumber for the grocery store.

He was returning to the store at the time the accident occurred.

He was driving a horse-drawn wagon.

The accident occurred at the Washington & Great Northern crossing.

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IN THE DARK.

Electric Machine Burned Out—A Still

Alarm Went In.

Some of the patrons of the Drouin and Electric company were investigating the cause of the burning out of a still.

The accident happened about 8:10 p.m.

The machine was located in the Power building.

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CASTORIA

The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of *Dr. J. C. H. Hatcher* and has been made under his personal supervision since its infancy.

Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but experiments that trifle with and endanger the health of Infants and Children—Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrup. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhoea and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

GENUINE CASTORIA ALWAYS

Bears the Signature of

Dr. J. C. H. Hatcher

The Kind You Have Always Bought

In Use For Over 30 Years.

THE DENTON COMPANY, 171 MURRAY STREET, NEW YORK CITY.

Hinman Bros. Co.

"The Place TO Save Money"

The Arcade Dry Goods Department, 133-137 N. Main St., is now open, larger and grander than ever. Having purchased the stock at about fifty cents on the dollar we can give you goods less than any one can sell the same goods. Our new stock is arriving on nearly every train from the best markets in the country and all goods will be sold lower than **Clearing Sale Prices**. Our aim is to unload a great many articles at less than manufacturers' prices to make room for the large amount of new goods. Prices will positively be less and qualities better than any one can show you. We ask the out of town people who come to Decatur to buy **Dry Goods** to see our prices, qualities and styles. See the Remnant Sale now in progress and don't give the stock a passing glance, but look over the different articles, as values will convince you that we are right. We will quote you prices that will astonish you.

Yours for Business,

HINMAN BROS. CO.,

Formerly Arcade Dry Goods Store.

"The Place to Save Money."

STOCKS.

Opening Monday Was on the Lower Side of Saturday's Close.

Gold Movement Will Be a Factor This Week—The Local Traders Were on the Right Side.

New York, Jan. 14.—The opening of the stock market this morning was rather on the lower side of Saturday's close, a majority of the list showing declines from the closing figures of that day. Declines were the order of the day subsequent to the starting of business.

London contributed to a bearish sentiment which made itself felt on the floor this morning among the traders. St. Paul and Reading stocks, despite the interesting dealing in those proportions, were under very severe pressure and were unable to withstand the strain perfectly. The indications point to a gold movement as the essential market factor for this week. London is in a bad way and calls for relief are being made in terms which do not leave an option or an alternative. When gold is scarce in Europe it naturally commands a premium there, and gains can be made by shipments from this country. It is expected and predicted that gold exports will have a depressing effect on values.

CHICAGO LONG INTEREST. The Chicago long interest, which was wiped out by profit taking a fortnight or so ago, is again very large, after some losses through aggressive short selling. The Chicago interest now is almost as large as it was before, when it was the dominating factor for a time.

Today's range and closing, with Saturday's closing:

(Daily Market Report furnished by H. Z. Taylor. Orders filled promptly by direct wire.)

Description	High	Low	Close
Atchafalaya	101	99	100
Am. Sugar	101	99	100
Am. Tobacco	111	109	110
Am. Cotton	111	109	110
Am. Oil	111	109	110
Am. Paper	111	109	110
Am. Rubber	111	109	110
Am. Steel	111	109	110
Am. T. & P.	111	109	110
Am. U. S.	111	109	110
Am. V. S.	111	109	110
Am. W. S.	111	109	110
Am. X. S.	111	109	110
Am. Y. S.	111	109	110
Am. Z. S.	111	109	110

LOCAL. Local traders were mostly on the short and proper side of the market Monday. Chicago was sold for a brand, and some profits were taken by most of the sellers, others holding over in expectation of a further break. There were no investment deliveries through H. Z. Taylor, but a large deal of this kind was indicated and probably will be consummated later in the week. Regular transactions aggregated 110 shares.

GRAIN, FLOUR AND PROVISIONS.

Chicago, Jan. 14.—Wheat—Moderate trade, quiet, little unsettled closing lower.

Grade	Price
January	74 1/2 to 75 1/2
May	75 1/2 to 76 1/2
July	76 1/2 to 77 1/2
September	77 1/2 to 78 1/2
December	78 1/2 to 79 1/2
March	79 1/2 to 80 1/2
June	80 1/2 to 81 1/2
September	81 1/2 to 82 1/2
December	82 1/2 to 83 1/2
March	83 1/2 to 84 1/2
June	84 1/2 to 85 1/2
September	85 1/2 to 86 1/2
December	86 1/2 to 87 1/2
March	87 1/2 to 88 1/2
June	88 1/2 to 89 1/2
September	89 1/2 to 90 1/2
December	90 1/2 to 91 1/2
March	91 1/2 to 92 1/2
June	92 1/2 to 93 1/2
September	93 1/2 to 94 1/2
December	94 1/2 to 95 1/2
March	95 1/2 to 96 1/2
June	96 1/2 to 97 1/2
September	97 1/2 to 98 1/2
December	98 1/2 to 99 1/2
March	99 1/2 to 100 1/2
June	100 1/2 to 101 1/2
September	101 1/2 to 102 1/2
December	102 1/2 to 103 1/2
March	103 1/2 to 104 1/2
June	104 1/2 to 105 1/2
September	105 1/2 to 106 1/2
December	106 1/2 to 107 1/2
March	107 1/2 to 108 1/2
June	108 1/2 to 109 1/2
September	109 1/2 to 110 1/2
December	110 1/2 to 111 1/2
March	111 1/2 to 112 1/2
June	112 1/2 to 113 1/2
September	113 1/2 to 114 1/2
December	114 1/2 to 115 1/2
March	115 1/2 to 116 1/2
June	116 1/2 to 117 1/2
September	117 1/2 to 118 1/2
December	118 1/2 to 119 1/2
March	119 1/2 to 120 1/2
June	120 1/2 to 121 1/2
September	121 1/2 to 122 1/2
December	122 1/2 to 123 1/2
March	123 1/2 to 124 1/2
June	124 1/2 to 125 1/2
September	125 1/2 to 126 1/2
December	126 1/2 to 127 1/2
March	127 1/2 to 128 1/2
June	128 1/2 to 129 1/2
September	129 1/2 to 130 1/2
December	130 1/2 to 131 1/2
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June	132 1/2 to 133 1/2
September	133 1/2 to 134 1/2
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June	136 1/2 to 137 1/2
September	137 1/2 to 138 1/2
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June	140 1/2 to 141 1/2
September	141 1/2 to 142 1/2
December	142 1/2 to 143 1/2
March	143 1/2 to 144 1/2
June	144 1/2 to 145 1/2
September	145 1/2 to 146 1/2
December	146 1/2 to 147 1/2
March	147 1/2 to 148 1/2
June	148 1/2 to 149 1/2
September	149 1/2 to 150 1/2
December	150 1/2 to 151 1/2
March	151 1/2 to 152 1/2
June	152 1/2 to 153 1/2
September	153 1/2 to 154 1/2
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